



WP(MD) No.6600 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 25.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.(MD) No.6600 of 2024
and
W.M.P.(MD).No.6157 of 2024

K.Sathaiya

... Petitioner

/vs./

1.The Superintendent of Police,
Pudukottai District,
Pudukottai.

2.The Inspector of Police,
K.Pudupatti Circle,
Pudukottai District.

3.The Tahsildar,
Thirumayam Taluk,
Pudukkottai District.

... Respondents

*(R-3 is suo motu impleaded vide order dated 25.03.2024
in W.P.(MD).No.6600 of 2024)*

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.02/G2PS/General/2024 dated 09.03.2024 on the file of the second Respondent and quash the same as illegal and consequently direct the first respondent to grant permission to conduct the one day hunger strike on 18.03.2024 at Drama Stage, Senkeerai Village or on any other date from 09.00 A.M to 03.00 PM against the gazette Notification dated 26.05.1995 which states that the land in Survey No. 259/9 does not belong to Senkeerai



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For Petitioner : Mr.T.Thirumurugan
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

ORDER

When the case came up for hearing on 19.03.2024, this Court passed the following order:

“The learned Counsel for the Petitioner submitted that the Petitioner had filed this Writ Petition seeking a direction against the Respondents 1 and 2. The Petitioner had sought permission to hold one day hunger strike on 18.03.2024. Since the date had already expired, the learned Counsel for the Petitioner had submitted that the Petitioner is ready to hold the hunger strike on a different date subject to the permission granted by the Respondents 1 and 2.

2.On request of the learned Government Advocate (crl.side), post this case on 22.03.2024.”

2. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) on instructions from the Respondents would submit that since the model code of conduct for Lok Sabha election have been enforced, the Respondents are unable to grant any permission. It is the further contention of the learned Government Advocate that the Tahsildar, Thirumayam Taluk, Pudukkottai District is to be impleaded as party in this Writ Petition.



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3. Considering the submission of the learned Government Advocate (Criminal Side), this Court *suo motu* impleads the Tahsildar, Thirumayam Taluk, Pudukkottai District as 3rd Respondent in this Writ Petition.

4. In the light of the submissions made by the learned Counsel for the Petitioner and the learned Government Advocate (Criminal Side), this Court directs the Petitioner to file a fresh representation to the Respondent Police as well as to the Tahsildar concerned. On receipt of such representation, the Respondents shall consider the same and pass appropriate orders within a day or two therefrom.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

25.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

Nsr

<https://www.mhc.tn.gov.in/judis>



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Order made in
W.P.(MD)No.6600 of 2024

Dated:
25.03.2024